

**REMARKS**

This Response, submitted in reply to the Office Action dated December 15, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-35 are all the claims pending in the application.

**I. Rejection of claims 1-3, 10-11, 13-15 and 33 under 35 U.S.C. § 103**

Claims 1-3, 10-11, 13-15 and 33 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Godse et al. (U.S. Patent No. 5,974,048) in view of Luong (U.S. Patent No. 6,314,105). It appears that claims 9 and 26-32 are also rejected in view of the combination of Godse and Luong.<sup>1</sup>

**Claim 1**

The Examiner cites Figs. 8a and 8b of Godse for teaching “broadcasting said block of information from said broadcast module to switches adjacent said first switch and to destination second terminals which are connected directly to said first switch” as recited in claim 1.

However, contrary to the Examiner’s assertions, it appears that blocks of information are transmitted to not only switches adjacent the broadcast module, but to all of the switches in the

---

<sup>1</sup> The basis for the Examiner’s rejection of claims 9 and 26-32 is unclear. On page 4, paragraph 6 of the Office Action, the Examiner states that claims 9 and 26-32 are rejected over Godse. The Examiner states “With regards to claims 9 and 26-32, Godse et al. discloses one terminal external to the switches [UES and ES, Fig. 8a].” However, the Examiner does not particularly identify the grounds which forms the basis of the Examiner’s rejection.

network. In particular, in Godse, *all* end systems receive *all* cells which are broadcast down *all* links at each broadcast node. See col. 6, lines 46-51 (“In the downstream system, all end systems received all cells which are broadcast down all links at each broadcast node.”).

Therefore, it does not appear that information is broadcast from a broadcast module to switches *adjacent* the first switch and to destination second terminals which are connected *directly* to the first switch. In particular, Godse does not disclose selectively sending packets to specific broadcast nodes. Consequently, it would appear that in Godse, blocks of information become repeatedly transmitted resulting in a waste of resources, contrary to an exemplary embodiment of the present invention.

Further, in response to Applicant’s argument that the cited references do not disclose an X.25 virtual circuit, the Examiner asserts that the language upon which applicant relies is not recited in the rejected claims. On the contrary, claim 1 recites “sending a call request packet from the first terminal to the broadcast module of the first switch to request the setting up of an *X.25 virtual circuit* between said first terminal and the broadcast module of the first switch, placing a broadcast request in one field of said call request packet.”

The Examiner states that Godse does not teach an X.25 network, and cites Luong to cure the deficiency. In response to Applicant’s argument that there is no suggestion to combine the references, the Examiner states that there is no discussion in Applicant’s specification as to why only the connected-oriented X.25 protocol can be used with the current Application and where no obvious modification can be made. The Examiner’s reasoning is unclear. Applicant’s invention is directed to X.25 networks and not an ATM network. Further, the functions of an

X.25 network are not the same as an ATM network as would be apparent to one of skill in the art. Therefore, it would not be obvious to interchange an X.25 network with an ATM network, when the operations of an X.25 network are desired and claimed.

For at least the above reasons, claim 1 and its dependent claims should be deemed patentable. Since claims 2, 10, 11, 13 and 14 describe similar elements, claims 2, 10, 11, 13 and 14 should be deemed patentable for the same reasons.

**II. Rejection of claims 4-8, 12, 16-17, 18-25 and 35 under 35 U.S.C. § 103**

Claims 4-8, 12, 16-17, 18-25 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Godse and Luong and further in view of Murphy et al. (U.S. Patent No. 6,545,982). Claims 4-8, 12, 16-17, 18-25 and 35 should be deemed patentable by virtue of their dependency to claims 1, 2, 10 and 11 for the reasons set forth above. Moreover, Murphy does not cure the deficiencies of Godse and Luong.

**III. Rejection of claim 34 under 35 U.S.C. § 103**

Claim 34 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Godse, Luong and Murphy and further in view of Fuchs et al. (EP 0461279A1). Claim 34 should be deemed patentable by virtue of its dependency to claim 1 for the reasons set forth above. Moreover, Fuchs does not cure the deficiencies of Godse, Luong and Murphy.

RESPONSE UNDER 37 C.F.R. § 1.116  
Appln. No.: 09/712,919

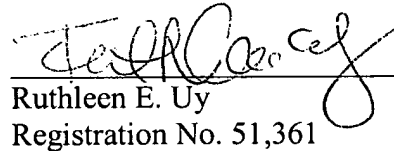
Attorney Docket No.: Q61752

#### IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
Ruthleen E. Uy  
Registration No. 51,361

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 15, 2005